

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

REED ET AL : **DOCKET NO. 2:14-cv-02598**

VS. : **JUDGE MINALDI**

INTERNATIONAL PAPER CO ET AL : **MAGISTRATE JUDGE KAY**

REPORT AND RECOMMENDATION

In a separately issued Memorandum Order, this court determined that the plaintiffs herein had not stated a cause of action against the Louisiana Department of Environmental Quality (hereinafter “LDEQ”) and that the agency was therefore improperly joined in this suit. On those grounds, we denied the plaintiffs’ motion to remand.


Further, and for the reasons stated in the Memorandum Order this court recommends that the LDEQ be **DISMISSED** from this action.

Under the provisions of 28 U.S.C. Section 636 and Rule 72, parties aggrieved by this recommendation have fourteen (14) business days from service of this report and recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within fourteen days after being served with a copy of any objections or response to the District judge at the time of filing.

Failure to file written objections to the proposed factual findings and/or the proposed legal conclusions reflected in this Report and Recommendation within fourteen (14) days following the date of its service, or within the time frame authorized by Fed.R.Civ. P. 6(b), shall bar an aggrieved party from attacking either the factual findings or the legal conclusions

accepted by the District Court, except upon grounds of plain error. See, *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

THUS DONE AND SIGNED in Chambers this 30th day of March, 2015.



KATHLEEN KAY
UNITED STATES MAGISTRATE JUDGE